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Ex Parte

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

**Re: Implementation of the Commercial Advertisement Loudness Mitigation
(CALM) Act, MB Docket No. 11-93**

Dear Ms. Dortch:

On November 3, 2011, Will Johnson and I met with Media Bureau Chief, William Lake, and Michelle Carey, Mary Beth Murphy, Krista Witanowski, Alison Neplokh, Shabnam Javid and Lyle Elder of the Media Bureau and Eloise Gore of the Enforcement Bureau to discuss implementation of the CALM Act.

While we continued to voice concern over the Commission's authority to pursue the approach set out in the Notice of Proposed Rulemaking in this proceeding, we expressed general support for an interpretation of the CALM Act's safe harbor provision that would better take into account the roles assigned by the A/85 Recommended Practice for the various players in the video creation, aggregation, and distribution chain in addressing the loudness levels of commercials. As industry continues to roll out the implementation of the A/85 Recommended Practice, the likelihood of consumers experiencing problems with the loudness levels of commercials will continue to diminish, and with it any need for more burdensome approaches to ensuring compliance. We look forward to continuing to work with the Commission to address the concerns animating from the CALM Act.

Sincerely,

A handwritten signature in black ink, appearing to read "Leora Hochstein".

cc: William Lake